

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

SCHNUCK MARKETS, INC.,	)	
	)	
Plaintiff(s),	)	
	)	
v.	)	No. 4:13-CV-02226-JAR
	)	
FIRST DATA MERCHANT DATA	)	
SERVICES CORP., et al.,	)	
	)	
Defendant(s).	)	

**NOTICE OF APPOINTMENT OF NEUTRAL**

Upon selection by parties, pursuant to the procedures outlined in E. D. Mo. L. R. 6.03, the Clerk of the court hereby notifies SHER, RICHARD P., 190 Carondelet Plaza, Suite 1100, St. Louis, Missouri 63105 that s/he has been appointed to serve as Neutral in the above-styled action to conduct **mediation**.

This appointment shall remain effective until the Neutral notifies the Court in writing that the referral has been concluded.

The Attorneys of Record in this case are:

Lead Counsel: Craig A. Hoffman (for pla)  
BAKER AND HOSTETLER  
312 Walnut Street  
Suite 3200  
Cincinnati, OH 45202  
Ph: 513-929-3491 FAX: 513-929-0303

Other Counsel: Joshua Horn (for dft)  
FOX ROTHCHILD, LLP  
2000 Market  
Tenth Floor  
Philadelphia, PA 19103  
Ph: 215-299-2184 FAX: 215-299-2150

**The completion deadline for this ADR referral is July 15, 2014. The neutral shall file an ADR Compliance Report within 14 days after the ADR referral is concluded.**

The Neutral is directed to ascertain and to disclose to the parties any grounds that might exist which would require disqualification pursuant to 28 U.S.C. § 455.

June 20, 2014.  
Date

James G. Woodward /  
Clerk of Court

By: /s/ Laura S. Dreon /  
LAURA S. DREON  
Deputy Clerk

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SCHNUCK MARKETS, INC.,

Plaintiff(s),

v.

FIRST DATA MERCHANT DATA  
SERVICES CORP., et al.,

Defendant(s),

Case No. 4:13-CV-02226-JAR

**ALTERNATIVE DISPUTE RESOLUTION COMPLIANCE REPORT**

Complete one option and file this report with the Clerk's Office

**Option 1**

☐

An ADR conference has been held. The neutral elects to extend the deadline for completing ADR for \_\_\_\_\_ days [not to exceed fourteen additional days] and will continue efforts to assist the parties in reaching a settlement. Revised completion deadline: \_\_\_\_\_. *Such an election by the neutral is permitted once during the span of a mediation in a single case. All other extensions require court approval.*

**Option 2**

☐

A final ADR conference was held on: \_\_\_\_\_.

☐

All required individuals, parties, counsel of record, corporate representatives, and/or claims professionals attended and participated in the ADR conference(s) in good faith, and each possessed the requisite settlement authority;

☐

The following individuals, parties, counsel of record, corporate representatives, and/or claims professionals failed to appear and/or participate in good faith as ordered:

\_\_\_\_\_.

The ADR referral was concluded on \_\_\_\_\_. The parties [☐ did ☐ did not] achieve a settlement. Check one

**Option 3**

☐

Although this case was referred to ADR, a conference WAS NOT HELD.

Date: \_\_\_\_\_ Neutral: \_\_\_\_\_

SHER, RICHARD P.  
Signature